

SENATE BILL 807

Q3

(2lr1756)

ENROLLED BILL

— Budget and Taxation / Ways and Means —

Introduced by **Senators Madaleno, Brinkley, Colburn, Currie, Glassman, Jones-Rodwell, Manno, Montgomery, Peters, Ramirez, and Raskin**
Raskin, and McFadden

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Land Acquisition for**
3 **~~Transportation-Related Projects~~ Department of Transportation**

4 FOR the purpose of allowing a subtraction modification under the Maryland income
5 tax for *the amount of a gain resulting from* a payment by the ~~State Highway~~
6 ~~Administration~~ Maryland Department of Transportation for the acquisition of a
7 portion of an individual's property *on which the individual's principal residence*
8 *is located* ~~for use in certain transportation projects~~; *limiting the subtraction*
9 *modification to a certain amount*; providing for the application of this Act; and
10 generally relating to an income tax subtraction modification for *gain resulting*
11 *from* certain payments by the ~~State Highway Administration~~ Maryland
12 Department of Transportation.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 BY repealing and reenacting, without amendments,
 2 Article – Tax – General
 3 Section 10–207(a)
 4 Annotated Code of Maryland
 5 (2010 Replacement Volume and 2011 Supplement)

6 BY adding to
 7 Article – Tax – General
 8 Section 10–207(y)
 9 Annotated Code of Maryland
 10 (2010 Replacement Volume and 2011 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Tax – General**

14 10–207.

15 (a) To the extent included in federal adjusted gross income, the amounts
 16 under this section are subtracted from the federal adjusted gross income of a resident
 17 to determine Maryland adjusted gross income.

18 (Y) (1) ~~THE~~ IN THIS SUBSECTION, “PRINCIPAL RESIDENCE” HAS THE
 19 MEANING STATED IN § 121 OF THE INTERNAL REVENUE CODE.

20 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE
 21 SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE
 22 AMOUNT OF A GAIN RESULTING FROM A PAYMENT FROM THE STATE HIGHWAY
 23 ADMINISTRATION MARYLAND DEPARTMENT OF TRANSPORTATION TO AN
 24 INDIVIDUAL FOR THE ACQUISITION OF A PORTION OF THE INDIVIDUAL’S
 25 PROPERTY ON WHICH THE INDIVIDUAL’S PRINCIPAL RESIDENCE IS LOCATED
 26 FOR USE IN A TRANSPORTATION RELATED PROJECT.

27 (3) THE AMOUNT SUBTRACTED UNDER THIS SUBSECTION MAY
 28 NOT EXCEED THE AMOUNT THAT MAY BE EXCLUDED FROM INCOME ON THE
 29 CONDEMNATION OF AN INDIVIDUAL’S PRINCIPAL RESIDENCE UNDER § 121 OF
 30 THE INTERNAL REVENUE CODE.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 32 July 1, 2012, and shall be applicable to all taxable years beginning after December 31,
 33 2011.